

Sixth Appellate District

San Jose, California

MONDAY, MARCH 7, 2005

H026715 PEOPLE v. OBUJEN

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed March 7, 2005

H026231 PEOPLE v. ROWAN

The judgment is affirmed. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed March 7, 2005

H027173 PEOPLE v. RICHARD E.

The dispositional order appealed from is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., Elia, J.)
Filed March 7, 2005

H027485 PEOPLE v. GALLEGOS

The judgment is affirmed. (not published)
(Rushing, P.J.; We concur: Premo, J., McAdams, J.)
Filed March 7, 2005

TUESDAY, MARCH 8, 2005

H027508 PEOPLE v. SMITHERS

The judgment is affirmed. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 8, 2005

H027186 PEOPLE v. SOTO

The judgment is reversed. The matter is remanded for resentencing. (not published)
(Premo, J.; We concur: Rushing, P.J., Elia, J.)
Filed March 8, 2005

H026568 CITIZENS FOR RESPONSIBLE FOREST MANAGEMENT v. CALIFORNIA DEPT. OF FORESTRY AND FIRE PROTECTION, et al.; CAMPBELL, et al.

(Filed order modifying opinion.) This modification does not affect the judgment. The petition for rehearing is denied. (not published)
(Elia, J., Premo, Acting P.J.)
Filed March 8, 2005

Sixth Appellate District

San Jose, California

Tuesday, March 8, 2005 (continued)

H026568 CITIZENS FOR RESPONSIBLE FOREST MANAGEMENT v. CALIFORNIA DEPT. OF FORESTRY AND FIRE PROTECTION, et al.; CAMPBELL, et al.

The request for publication of the opinion filed in the above entitled action by Thomas N. Lippe on February 25, 2005, is denied. The opinion does not establish a new rule of law, nor does it meet any of the other criteria set forth in California Rules of Court, rule 976(b).

In compliance with California Rules of Court, rule 978, the Clerk shall transmit the request for publication and a copy of this order to the Supreme Court.

(Elia, J.; Premo, Acting P.J.)

Filed March 8, 2005

H027204 STEVENS CREEK/CUPERTINO ASSOCIATES LLC., v. UNION OIL COMPANY OF CALIFORNIA, et al.

By the Court*:

Respondent Union Oil Company of California's petition for rehearing is denied.

Filed: March 8, 2005

*Before Rushing, P.J., Premo, J. and Elia, J.

H025958 LOCKTON v. SMALL, et al.

By the Court*:

Appellant Lockton's petition for rehearing is denied.

Filed: March 8, 2005

*Before Elia, Acting P.J., Bamattre-Manoukian, J. and McAdams, J.

H027543 In re ADRIAN B.; DFCS v. LINDSAY B.

The order appealed from is affirmed. (not published)

(Walsh, J.*; We concur: Rushing, P.J., Premo, J.)

Filed March 8, 2005

(*Judge of the Santa Clara County Superior Court assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.)

WEDNESDAY, MARCH 9, 2005

H027689 PEOPLE v. MANSFIELD

The judgment is affirmed. (not published)

(McAdams, J.; We concur: Bamattre-Manoukian, Acting P.J., Mihara, J.)

Filed March 9, 2005

Sixth Appellate District

San Jose, California

Wednesday, March 9, 2005 (continued)

H027427 NGUYEN on Habeas Corpus

The order granting relief on the petition for writ of habeas corpus is reversed. (not published)

(Elia, J.; We concur: Rushing, P.J., Premo, J.)

Filed March 9, 2005

H027198 PEOPLE v. RAMIREZ

The judgment is vacated and this matter is remanded to the trial court for the sole purpose of permitting the trial court to exercise its discretion to select the amount of the mandatory restitution fund fine. If the trial court exercises its discretion and selects the originally imposed \$1,600 restitution fund fine, it shall reinstate the original judgment. If the trial court selects a different amount for this fine, it shall impose a new judgment which includes the new amount of the restitution fund fine and a matching amount for the parole revocation fine. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed March 9, 2005

H027829 PEOPLE v. ANGELINA M.

The judgment is affirmed. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed March 9, 2005

H027475 MADRIAGA, et al. v. FINANCIAL INDEMNITY, INC.

The trial court's order denying appellants' motion to tax costs and impose sanctions is reversed. The trial court is directed to vacate its order denying the motion, to grant the motion to tax costs and to reconsider its denial of sanctions. Appellants shall recover their appellate costs. (not published)

(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)

Filed March 9, 2005

H026613 FERRETTI, et al. v. EVERSTINE, et al.

By the Court*:

Appellants' petition for rehearing is denied.

Filed: March 9, 2005

*Before Premo, Acting P.J., and Elia, J.

Sixth Appellate District

San Jose, California

THURSDAY, MARCH 10, 2005

(no minute approved orders)

FRIDAY, MARCH 11, 2005

H026596 PEOPLE v. BIRREY

The judgment is reversed, and the matter is remanded for resentencing in compliance with *Blakely*. (not published)
(Mihara, J.; We concur: Rushing, P.J., Premo, J.)
Filed March 11, 2005

H026742 PEOPLE v. AGIN

The judgment is affirmed. (not published)
(Mihara, J.; I concur: Bamattre-Manoukian, Acting P.J.;
Concurring opinion by McAdams, J.)
Filed March 11, 2005

H027005 PEOPLE v. MENDEZ, SR.

The judgment is affirmed. (not published)
(Mihara, J.; We concur: Bamattre-Manoukian, Acting P.J., McAdams, J.)
Filed March 11, 2005

H026715 PEOPLE v. OBUJEN

(Filed order modifying opinion.) This modification does not effect a change in the judgment. (not published)
(Bamattre-Manoukian, Acting P.J.; We concur: Mihara, J., McAdams, J.)
Filed March 11, 2005